

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 00-6032-CR-ZLOCH\SELTZER

UNITED STATES OF AMERICA )

v. )

LIONEL HANNA, )

Defendant. )  
\_\_\_\_\_ )

**NIGHT BOX  
FILED**

**MAR 15 2000**

CLARENCE MADDOX  
CLERK, USDC / SDFL / FTL

**GOVERNMENT'S SUPPLEMENTAL RESPONSE  
TO STANDING DISCOVERY ORDER**

The United States files this supplemental response to the Standing Discovery Order issued in this case. This supplemental response is numbered to correspond to that Order.

1. A. 5. Books, papers, documents, photographs, tangible objects, buildings or places which the government intends to use as evidence at trial to prove its case in chief, or were obtained or belonging to the defendant may be inspected on a mutually convenient time at the Office of the United States Attorney, 500 East Broward Boulevard, Suite 700 in Fort Lauderdale, Florida. Please call the undersigned to set up a date and time that is convenient to both parties. The attachments to this discovery response are not necessarily copies of all the books, papers, documents, etc., that the government may intend to introduce at trial. Such attachments include the following: March 6, 2000 letter from Jeffrey J. Hochman to Robert L. McKinney and March 3, 2000 letter from McKinney to Hochman.
- B. DEMAND FOR RECIPROCAL DISCOVERY: The United States requests the disclosure and production of materials enumerated as items 1, 2 and 3 of Section B of the Standing Discovery Order. This request is also made pursuant to Rule 16(b) of the Federal Rules of Criminal Procedure.
- H. The government will advise the defendant prior to trial of its intent, if any, to introduce during its case in chief proof of evidence pursuant to F.R.E.



404(b). You are hereby on notice that all evidence made available to you for inspection, as well as all statements disclosed herein or in any future discovery letter, may be offered in the trial of this cause, under F.R.E. 404(b) or otherwise (including the inextricably-intertwined doctrine). In addition, the government may introduce under Rule 404(b) evidence underlying the defendant's past criminal activity that has resulted in arrests and/or convictions and which is summarized in the attached court documents.

The government is aware of its continuing duty to disclose such newly discovered additional information required by the Standing Discovery Order, Rule 16(c) of the Federal Rules of Criminal Procedure, Brady, Giglio, Napue, and the obligation to assure a fair trial.


In addition to the request made above by the government pursuant to both Section B of the Standing Discovery Order and Rule 16(b) of the Federal Rules of Criminal Procedure, in accordance with Rule 12.1 of the Federal Rules of Criminal Procedure, the government hereby demands Notice of Alibi defense; the approximate time, date, and place of the offense was:

Time: Approximately 2:25 p.m. to about 6:45 p.m.  
Date: January 7, 2000  
Place: I95 Northbound and the New River Bridge; I95 Northbound off-ramp on to Broward Boulevard; 11<sup>th</sup> Avenue and Broward Boulevard; and 416 NW 14 Way; all locations being in Broward County, Florida

Respectfully submitted,

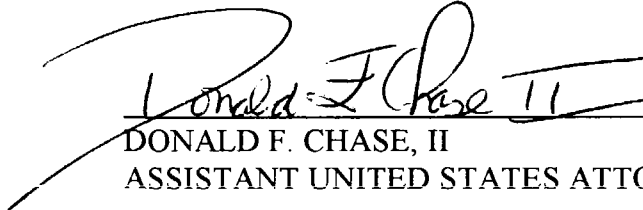
THOMAS E. SCOTT  
UNITED STATES ATTORNEY

By:

  
DONALD F. CHASE, II  
ASSISTANT UNITED STATES ATTORNEY  
Court No. A5500077  
500 East Broward Boulevard, Suite 700  
Fort Lauderdale, Florida 33394  
Tel: (954) 356-7255  
Fax: (954) 356-7336

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was hand-delivered and delivered by United States mail this 15th of March 2000 to Robert Berube, Esq., Federal Public Defender's Office, 101 NE 3rd Avenue, Suite 202, Fort Lauderdale, FL 33301.

  
DONALD F. CHASE, II  
ASSISTANT UNITED STATES ATTORNEY



CITY OF  
**FORT LAUDERDALE**

*Division of Administration*

March 8, 2000

Provided by Facsimile (305) 547-4245 and U. S. Mail

Robert L. McKinney, Esquire  
1611 Northwest 14<sup>th</sup> Avenue  
Miami, Florida 33125

RE: O. R. #00-2965/\$30,490.00 U. S. Currency  
O. R. #00-3152/1994 Infinity Automobile

Dear Mr. McKinney:

I am in receipt of your March 3, 2000 offer of settlement in the above captioned matter. So that there are absolutely no misunderstandings, it is unequivocally agreed to between the City and the Defendant that the distribution of property in this forfeiture matter will be as follows:

Items Forfeited to City

1. \$25,490.00 U. S. Currency
2. 1994 Infiniti Q 45 Automobile
3. .45 Colt Mark IV Series
4. Piaget Wrist Watch
5. All narcotic related paraphernalia as listed in the offense report including but not limited to all weighing scales, heat sealers, plastic bags and laboratory equipment

Items Returned to Defendant

1. \$5,000.00 U. S. Currency — Attorney Fee 7/6/2000 *W.M.K.*
2. Apple Computer, Serial #NS/1797
3. Cellular phones, pagers and related equipment
4. All female jewelry.
- 5 (a) One Pair of Eye Glasses
- (b) One Pair of Sunglasses.

POLICE DEPARTMENT - LEGAL UNIT  
1300 WEST BROWARD BOULEVARD, FORT LAUDERDALE 33312-1699  
TELEPHONE (954) 761-5622/25, FAX (954) 761-5744

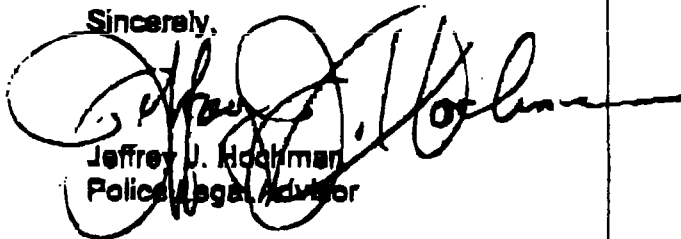


March 8, 2000  
Page Two

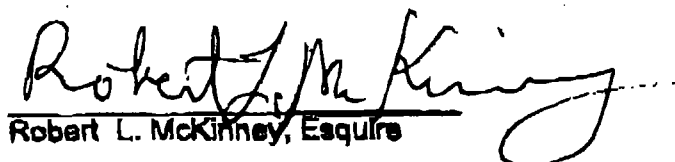
If the aforementioned distribution is your complete understanding of proposed settlement, please sign below and fax back to me immediately. I will then promptly process your offer of settlement.

I thank you in advance for your immediate attention to this matter.

Sincerely,



Jeffrey J. Hochman  
Police Legal Advisor



Robert L. McKinney, Esquire

JH:jc

**Robert L. McKinney**  
ATTORNEY AT LAW

1811 NORTHWEST 14TH AVENUE  
MIAMI, FLORIDA 33125  
(305) 328-7872

March 3, 2000

City of Fort Lauderdale  
Police Dept. - Legal Unit  
1200 West Broward Boulevard  
Fort Lauderdale, Florida 33312-1699

Facsimile No: (954) 761-5744

Attn- Jeffrey J. Hochman

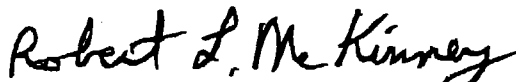
Re: O.R. #00-2965/0031-52 \$30,490.00 U.S. Currency  
O.R. #99-3152 1994 Infiniti Q45

Dear Mr. Hochman:

In regards to the above property as a compromise and in settlement of the proposed forfeiture of the seized property it is agreeded that the Fort Lauderdale Police Department and The City of Fort Lauderdale will return to Robert L. McKinney, Esq. \$5,000.00 attorney fee and personal property; female jewelry, computer, cellular phone(s), and any unidentified property seized that is not contraband.

If this is your understanding of our agreement please prepare a written agreement for my signature.

Sincerely,

  
ROBERT L. MCKINNEY, Esq.  
Attorney for Claimants